

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

BOARD OF TRUSTEES of the PIPE FITTERS)	
RETIREMENT FUND, LOCAL 597;)	
BOARD OF TRUSTEES of the PIPE FITTERS)	CIVIL ACTION
WELFARE FUND, LOCAL 597;)	
BOARD OF TRUSTEES of the PIPE FITTERS)	
TRAINING FUND, LOCAL 597; the)	NO.: 12-CV-418
BOARD OF TRUSTEES of the CHICAGO AREA)	
MECHANICAL CONTRACTING INDUSTRY)	
IMPROVEMENT TRUST;)	JUDGE: CASTILLO
THE PIPE FITTERS' ASSOCIATION,)	
LOCAL 597 U.A.; BOARD OF TRUSTEES)	
of the PIPE FITTERS' INDIVIDUAL)	MAGISTRATE
ACCOUNT and 401(K) PLAN; and)	JUDGE: ASHMAN
BOARD OF TRUSTEES of the PIPE FITTING)	
COUNCIL OF GREATER CHICAGO,)	
)	
Plaintiffs,)	
)	
vs.)	
)	
A.B.D. TANK & PUMP CO.,)	
an Illinois Corporation,)	
)	
Defendant.)	

MOTION FOR FINAL JUDGMENT

Now come Plaintiffs, the BOARD OF TRUSTEES of the PIPE FITTERS RETIREMENT FUND, LOCAL 597, *et al.*, by and through their attorneys, JOHNSON & KROL, LLC, and pursuant to this Court's February 28, 2012 Order, move this Honorable Court for entry of Final Judgment in favor of Plaintiffs and against Defendant A.B.D. TANK & PUMP CO. ("A.B.D.") and in support thereof, state as follows:

1. On or about January 19, 2012, Plaintiffs filed their Complaint in the above-captioned matter against Defendant A.B.D. for unpaid contributions, liquidated damages and interest pursuant to the terms of the Collective Bargaining Agreement and Trust

Agreements to which Defendant A.B.D. is bound.

2. On February 28, 2012, a Default Judgment Order was entered in favor of Plaintiffs and against Defendant A.B.D. in the amount of \$8,948.83. (The Default Judgment Order is attached as Exhibit 1).
3. Pursuant to the terms of the Default Judgment Order, Defendant A.B.D. was ordered to submit its Contribution Report for the month of January 2012 so that the full extent of Defendant A.B.D.'s liability to the Plaintiffs could be determined. (Exhibit 1).
4. Pursuant to the terms of the Default Judgment Order, Judgment was entered in favor of Plaintiffs and against Defendant A.B.D. for all unpaid contributions, liquidated damages and interest owed for the month of January 2012. (Exhibit 1).
5. Pursuant to the terms of the Default Judgment Order, Plaintiffs were granted leave to amend the Judgment once the Contribution Report for January 2012 is submitted and Defendant's total aggregate liability was determined. (Exhibit 1).
6. The January 2012 Contribution Reports revealed unpaid contributions in the amount of \$2,514.00, unpaid liquidated damages in the amount of \$244.80, and unpaid interest in the amount of \$184.78. (Affidavit of Mike Maloney is attached as Exhibit 2).
7. Pursuant to the terms of the Default Judgment Order, Judgment was entered in favor of Plaintiffs and against Defendant A.B.D. for all reasonable attorney's fees and costs incurred by the Plaintiffs pursuant to the Collective Bargaining Agreement, Trust Agreements, Secured Settlement Agreement and 29 U.S.C. §1132(g)(2)(D).
8. Defendant A.B.D. currently owes the Plaintiffs reasonable attorney's fees and costs in the amount of \$5,876.21 for the period of January 4, 2012 through the present. (Affidavit of Jessica Adelman is attached as Exhibit 3).

9. The total principal balance due and owing to the Plaintiffs from Defendant A.B.D. is \$8,819.79.

10. A Draft Judgment Order has been provided to the Court.

WHEREFORE, Plaintiffs respectfully request this Honorable Court enter Final Judgment in favor of Plaintiffs and against the Defendant A.B.D. in the amount of \$8,819.79 and for other such relief as this Court deems just and equitable all at Defendant's cost pursuant to 29 U.S.C. §1132(g)(2)(E).

Respectfully submitted,

JOHNSON & KROL, LLC

By: /s/ Jessica Adelman - 6305349
One of Plaintiffs' Attorneys

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